

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6950

IN THE MATTER OF:

Served December 16, 2002

Application of MV TRANSPORTATION,)
INC., for Temporary Authority --)
Irregular Route Operations)

Case No. AP-2002-125

Applicant seeks temporary authority for irregular route operations between points in the Metropolitan District.¹ The application is unopposed.

Under Title II of the Compact, Article XI, Section 13(a), the Commission may grant temporary authority if there is an immediate need for service that is not available. Under Regulation No. 54-06(a), a temporary authority applicant must demonstrate fitness.

Applicant proposes commencing operations with 73 vehicles pursuant to a contract with Fairfax County, Virginia, to manage and operate a portion of the County's FASTRAN paratransit service. The vehicles will be furnished by Fairfax County. The service contemplated by the contract includes transportation between points in Fairfax County, Fairfax City and the City of Falls Church, on the one hand, and other points in the Metropolitan area, on the other.

The contract calls for service to commence on November 1, 2002, which is confirmed by an affidavit from the FASTRAN manager. The contract terminates June 30, 2003. Applicant was the winning bidder. Neither the incumbent, First Transit, Inc., WMATC No. 157, nor any other WMATC carrier protests the application.

Based on the record in this case, the Commission finds that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

The Commission further finds that applicant has demonstrated that Fairfax County, Virginia, has an immediate need for long-term contract passenger carrier service between points in Fairfax County, Fairfax City and the City of Falls Church, on the one hand, and ~~various other points in the Metropolitan District, on the other,~~ and that such service is not available from other carriers.

¹ Applicant has also applied for a certificate of authority in Case No. AP-2002-126.

THEREFORE, IT IS ORDERED:

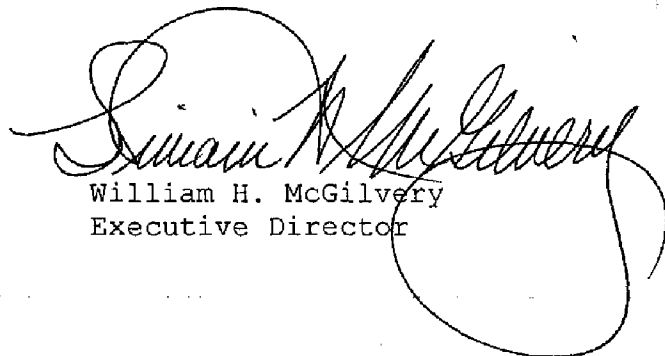
1. That upon applicant's timely compliance with the requirements of this order, Temporary Authority No. AP-2002-125 shall be issued to applicant authorizing applicant to transport passengers for hire between points in Fairfax County, Fairfax City and the City of Falls Church, on the one hand, and various other points in the Metropolitan District, on the other, under applicant's FASTRANS contract with Fairfax County, Virginia, for a period not to exceed 180 days.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until notice of temporary authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia, and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER AND MCDONALD:



William H. McGilvery
Executive Director